

**REMARKS**

As a preliminary matter, Applicants appreciate the courtesy extended to Patrick Burns in a telephonic interview with Examiner Reese on August 23, 2005. The present claim (without "in a circular arc") was discussed, without reaching agreement.

Independent claim 1 stands rejected under 35 U.S.C. § 103 on the basis of Craven, '638 and Chen, '327. Claim 1 has been amended to overcome this rejection, by more clearly defining the undercut edge of the head, as supported by Figs. 1 and 3.

Neither cited reference discloses the added feature of claim 1. During the interview, the Examiner referred to McGovern, U.S. Patent Application number 2003/0026675 (Figs. 7 and 8), which has now been reviewed by Applicants' attorney. McGovern discloses a notch in the underside of the head, but does not disclose an undercut edge which is inverted in a circular arc, as in claim 1 as amended. Thus, none of the relevant references disclose or suggest this feature of the present invention.

As the Examiner knows, many patentable inventions, particularly fasteners, are a unique combination of known elements. However, it is insufficient to simply find the individual elements in various references, and combine them without a suggestion or motivation to modify and combine. The absence of a suggestion or motivation to combine is a strong indication that the Examiner is using hindsight to reconstruct the subject invention from various references, which is impermissible. Applicants sincerely request that the Examiner consider this when acting on this application.

For the foregoing reasons, Applicants believe that this case is in condition for

allowance, which is respectfully requested. The examiner should call Applicants' attorney if an interview would expedite prosecution.

Respectfully submitted,  
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